

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAN CALVERT WALLEN,

Defendant.

CR 15–11–M–DLC

ORDER

Before the Court is the government’s Unopposed Motion to Dismiss Information, pursuant to Federal Rule of Criminal Procedure 48(a). (Doc. 75.) Nothing in the record indicates that the government moves to dismiss the Information for an improper prosecutorial purpose. *See United States v. W.R. Grace*, 429 F. Supp. 2d 1207, 1246–47 (D. Mont. 2006).

Accordingly, IT IS ORDERED that the motion (Doc. 75) is GRANTED, and the Indictment (Doc. 1) is DISMISSED without prejudice.

The Court is also aware that Defendant Dan Calvert Wallen has fully discharged his restitution obligation, which the Court imposed on him in its now-vacated judgment. (*See* Docs. 54, 67, 70.) Thus, the Court anticipates a motion from the government in short order to address the disbursement of those funds back to Mr. Wallen.

DATED this 5th day of February, 2021.



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Dana L. Christensen, District Judge  
United States District Court